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The American Historical Review

MARSIGLIO OF PADUA AND WILLIAM OF OCKAM

II.

THE statement of Pope Clement, that Marsiglio derived his heresies from Ockam, is still further weakened if we consider the attitude of the scholars of that time and of later days with respect to the works of the two. It was to Marsiglio, rather than to Ockam, that the enemies of the popes and the friends of reform looked for support. This has been denied by several writers of our own day, who think that it was the fate of Marsiglio to be absolutely forgotten. According to Poole,¹—and Lechler,² Tschakert³ and Kneer⁴ are of the same opinion,—“Ockam may justly be claimed as a precursor of the German reformers of the sixteenth century, but Marsiglio exercised no direct influence on the movement of thought.” Riezler regards them both as nearly equal in prominence as precursors of the Reformation. Silbernagl, on the other hand, distinctly denies that Ockam is a precursor of the Reformation in the same sense as is Marsiglio, who, in his *Defensor Pacis*, “takes the same grounds as Luther.”⁵ Which of these opinions is right we shall discover by studying the histories of the works of Marsiglio and Ockam, subsequent to their publication.

If we could believe Villani,⁶ John XXII. condemned Marsiglio in a bull dated July 13, 1324. From a letter of the bishop of Passau, of September 6, 1326, we know that John had already condemned Marsiglio as a heretic.⁷ On April 3, 1327, John condemned

¹ *Illustrations of Medieval Thought*, p. 277.

² *Johann Wiclif*, Leipzig, 1873, pp. 125-127.

³ *Peter von Ailli*, Gotha, 1877, p. 3.

⁴ *Entstehung d. konzil. Theorie in Röm. Quartalschr.*, 1893, Supp. I. 56, 57.

⁵ O. c., p. 427.

⁶ *Historia Univ.*, in Muratori, *Scriptores*, XIII. 560.

⁷ Reinkens, *Urkunden d. Vatikan. Archivs*, No. 287, in the *Abh. d. III. Cl. Ak. d. Wiss.*, XVII. Bd., I. Abth., 1883.

the *Defensor Pacis* and its author¹ on the strength of "the opinions of many learned men" who had examined the book and found heresies in it. On April 9² he cited Marsiglio to a council of the faithful to answer for his erroneous ideas. Under the date of October 23³ of the same year John issued two new bulls. In one Louis of Bavaria is condemned for his opinions on apostolical poverty, for giving support to Marsiglio, and for allowing him to teach and publish his heretical doctrines. The second is directed against Marsiglio in particular. John recites that in a synod of his cardinals, archbishops, bishops and other prelates, together with several masters in theology and professors of law, it had been decided to condemn five heretical articles which several Catholic men had taken from the *Defensor Pacis* and brought to him.

The five articles thus selected are put down and refuted in order : 1. Christ paid the tribute money to Cæsar, not voluntarily, but because He was forced by necessity. 2. Peter had no more authority than the other apostles and was not their chief; Christ, therefore, created no head of the Church and made no one His vicar. 3. All the temporalities of the Church are under the emperor, and he can institute, depose and punish the pope. 4. All priests, whether pope, archbishops, bishops, or simple priests, are by the institution of Christ equal in authority. If one has more authority than another it is because the emperor has given it to him. That which the emperor has given he can revoke and take away. 5. The whole Church is unable to punish any man by temporal punishment unless the emperor permits it.⁴ For these heresies and for their refusal to come to a general council to which John had summoned them, Marsiglio and his friend Jandum are condemned as heretics, all persons are prohibited from helping them, and the faithful are enjoined to seize them so that they may be punished.

Towards the end of 1327 Louis of Bavaria, inspired by the advanced ideas⁵ of Marsiglio, undertook his disastrous expedition to Rome, accompanied by Marsiglio and Jandum. On January 28, 1328,⁶ John sent letters to his legate at Rome commanding him to seize the two heretics. This was followed by another to the same effect dated February 27, 1328,⁷ and addressed to the same legate

¹ Martène et Durand, II. 683.

² Ibid., and *supra*, p. 411, note 4.

³ Ibid., p. 704.

⁴ Turrecremata, *Summa de Eccles.*, ed. 1489, lib. 4, pt. 2, c. 37, numbers these articles so as to get seven. He takes them from the *Extravagantes* of John XXII. They, however, no longer form a part of the *Corpus Juris Canonici*; cf. ed. Friedberg.

⁵ Riezler, 42 ff.

⁶ Martène et Durand, II. 716.

⁷ Ibid., 723, 727.

and to other archbishops and bishops of Italy. John issued another process against them dated March 30.¹ Others to the same purpose came forth April 15 and May 21.² On May 20 Franciscus of Venice, one of Marsiglio's students at Paris, was examined before the Inquisition court sitting at Avignon, to find out if he or others had helped Marsiglio to write his heretical book.³

About 1328 Peter Palude, patriarch of Jerusalem, brought forth his *De Causa immediata ecclesiasticæ Potestatis* in favor of John, and directed against the heresies of Marsiglio.⁴ Louis's decrees deposing John, April 18 and December 12, 1328,⁵ were probably founded on the *Defensor*.⁶ From that time on Marsiglio and his book figured in the numerous bulls issued by John against Louis and his followers. We thus find him in those of May 5 and June 15, 1329,⁷ February 15,⁸ July 22,⁹ July 31 and September 6, 1330,¹⁰ and January 8 and 21, 1331.¹¹

In a letter addressed to the cities of Spires and Worms, dated October 29, 1329, the Emperor Louis made use of the *Defensor Pacis* by incorporating the ideas which Marsiglio had set forth in his introduction.¹² On May 30, 1329, John addressed a letter to the chancellor of the University of Paris, calling his attention to the publication of the process against Marsiglio and Jandum. The faculty of theology responded by condemning the *Defensor Pacis*, and reciting four of the five errors condemned by John in his bull of October 23, 1327.¹³ Between 1330 and 1332 Alvarez Pelagius, a strong supporter of John XXII., in writing his *Summa de Planctu Ecclesiæ*,¹⁴ undertook to refute the heretical opinions of Marsiglio. He confined himself, however, to the mere refutation of two¹⁵ of the heresies which had been selected by John. He also wrote another work against Marsiglio, of which all traces have been lost.¹⁶ In

¹ Ibid., 736.

² *Vat. Akten* and Reinkens, o. c., No. 431.

³ Baluze, l. c.

⁴ Paris, 1506, folio 48.

⁵ Baluze, o. c., III. 240, 310.

⁶ Preger, o. c., p. 12.

⁷ Martène et Durand, II. 776, 777.

⁸ Raynaldus, o. c., *sub anno* 1330, § XL.

⁹ Ibid., § XXIX.

¹⁰ Martène et Durand, II. 800.

¹¹ Ibid., 816. Raynaldus, 1331, § II.

¹² Müller, II. Beilage 16, p. 373. Cf., however, Ritter's reviews mentioned above.

¹³ Bulæus, o. c., p. 216.

¹⁴ Ed. Ulm, 1474. Riezler, 283, 301, gives the date of this work as 1331. Pelagius in his preface says he began it in 1330 and finished it in 1332.

¹⁵ Fols. 92 vo. and 93, of Venice ed., 1560.

¹⁶ Raynaldus, 1327, § 36. This is probably the same work which is elsewhere referred to as *Apologia contra Marsilium et Occamum*.

1331 Gerald Odo, the newly elected general of the Minorite Order, thought it proper to say something against Marsiglio and his ideas.¹ About the end of 1334 Louis opened negotiations with Cardinal Napoleon Orsini for the calling of a general council, but the cardinal refused to aid him unless he sent Marsiglio of Padua away from his court.² Alexander of St. Elpidio in his book *De Jurisdictione Imperii et Autoritate summi Pontificis*, written before the death of John, renewed the attack against the errors of Marsiglio.³

John XXII. died December 4, 1334, without being able to lay his hands on the arch-heretic. But his successor, Benedict XII., kept up the fight and succeeded in bringing Louis to submission. Louis sent a letter of such purport to Benedict October 28, 1336.⁴ After condemning Cesena, Ockam and others, he goes on to condemn also Marsiglio and Jandum and to offer his excuses for allowing them to stay at his court. He says he thought they were good churchmen and he kept them by him because they knew a great deal about the law of the empire. If their opinions were against the faith and government of the Church he was unwilling to accept them. He wanted to use only such of their opinions as were for the defense of the empire. He never did believe their errors and he only kept them by him that he might reduce them to the will of the Church. He acknowledges that he was wrong in allowing them to preach against Pope John, but he had only allowed them to do it in order to give good churchmen an opportunity to refute their errors. Even in so doing he admits that he was wrong. John, he thinks, rightly condemned the five errors committed by these men and, like a good Christian, he joins in condemning them. He promises to destroy such heretics as the Church shall point out and especially Marsiglio and Jandum. This servile submission by Louis foretold the non-fulfilment of its promises. The negotiations, however, were continued. To Benedict's old demand that Marsiglio and the Minorites should be reduced to obedience to the Church, Louis replied in 1338 by proposing an assembly of laymen and clergymen before which Marsiglio and the Minorites should justify their opinions or undergo punishment. Benedict rejected this suggestion as well as the proposal that the men should be allowed a safe-conduct.⁵ Later he changed his mind and agreed to allow them a safe-conduct, but Louis did not respond and the negotiations were broken off.⁶

¹ Raynaldus, 1331, § 10.

² Höfler, o. c., p. 11 ff.

³ Natalis Alexander, *Historia eccl.*, Paris, 1672-86, VIII., pp. 40, 88.

⁴ *Vatikan. Akten*, No. 1841.

⁵ Raynaldus, 1339, § 6.

⁶ Riezler, 312 ff. Preger, 24. Riezler's review of Preger, *Hist. Ztschr.*, XL. 326. Rohrmann, *Die Procuratorien Ludwig's des Baiern*, 1882.

Benedict issued an order for the further examination of the *Defensor Pacis*. This was carried out by Clement VI., with the result that more than two hundred and fifty heretical articles were extracted from it. In writing his *De Juribus Regni et Imperii* about 1339² Leopold of Bebenburg makes no mention of the *Defensor*, though Riezler thinks he made use of it.³ In a speech of April 10, 1343, Clement says that "we have hardly ever read a worse heretic than this Marsiglio"—a remark which, when connected with the extraction of the two hundred and fifty articles, shows that the book had actually come into papal hands.⁵

On July 11, 1343,⁶ Clement, in speaking against Louis in a consistory, again refers to Marsiglio as dead. Since that arch-heretic is gone, Clement turns his attention to Ockam. A few months later, on September 18,⁷ Louis handed in a second submission, couched in almost the same words as that sent to Benedict, and expressing deep regret for the deeds which he had committed in connection with Marsiglio, Jandum and others. In connection with this submission Louis sent his messengers to Avignon in January, 1344. To them it was said that their master had erred in four great things, one of which was that he had received errors from Marsiglio, Jandum and Cesena and had believed them.⁸

How effective these numerous attacks by the popes on Marsiglio and his book were in keeping down the number of copies in circulation cannot be estimated. It certainly made his work widely known. Riezler⁹ thinks Ockam must have used it in writing his *Dialogus*, though no mention is made of it. Conrad of Megenberg in his *Oeconomica*, written between 1352 and 1362, attacked the opinion of Marsiglio that it belonged to the emperor to choose the pope,¹⁰ and Thomas of Strassburg, writing before 1353, attacked the opinions expressed in the *Defensor*, that it was no sin to associate with an excommunicated person and that excommunication itself was only an invention of the clergy.¹¹

At some time before 1363 the *Defensor Pacis* was translated into French. At an inquisition held on the book somewhat later at Paris, a certain Richard Barbe said that he had heard that he who wrote the book had translated it. He had made further inquiries,

¹ Clement's speech of April 10, 1343, in Höfler, o. c., p. 20.

² Riezler, pp. 190, 302, puts the limits as 1338-1340.

³ Ibid., p. 189.

⁴ Höfler, l. c.

⁵ Raynaldus, 1327, § 37.

⁶ Höfler, l. c.

⁷ *Vat. Akten*, No. 2167.

⁸ Höfler, o. c., p. 23.

⁹ P. 265.

¹⁰ Ibid., 290.

¹¹ N. Paulus, *Thomas v. Strassburg u. Ludolph v. Sachsen*, in the *Historisches Jahrbuch* for 1892, XIII. 10.

but had been able to find out nothing.¹ That the author translated it is not improbable. We find Raoul de Presles and Philip de Mézières doing the same with works which they had written. This translation may have been Jandum's share in Marsiglio's work. In 1363 an anonymous writer made an Italian translation from the French.²

Shortly after this Gregory XI., who had come to the throne in 1370, got word of the French translation, which caused him much anxiety. The translator was thought to be some one connected with the faculty of theology of the University of Paris. That faculty in order to clear itself of any such suspicion appointed a commission for the inquisition of its members. This process,³ which began September 1, 1375, continued from time to time until December 31 of the same year. Each member of the faculty after being put under oath was asked "if he had translated the book from the Latin into French; if he knew, had known, or had heard of any one who had translated it; and if he had any suspicion of anybody having translated the book." All returned negative answers. Richard Barbe replied as we have seen above. John of Dyodona said he had never heard of the book, and several other doctors and masters said they had heard from older doctors that Marsiglio and Jandum never were doctors or graduates of the faculty of theology. These overzealous denials, especially that by a man so prominent as Dyodona, raise the suspicion that the learned doctors knew more about the translation than they cared to admit. At any rate the inquisition came to a close without finding the translator, and he and the translation are as yet undiscovered. This process, like all of its kind, most likely made a great deal of noise, and was probably in part responsible for the great popularity and numerous editions of the very book which it was intended to suppress.

Attacks on the papacy of the same sort as were made by the *Defensor Pacis* were not wanting even during the time of Gregory XI. Among these was the famous *Somnium Viridarii* or *Songe du Vergier*, written by Philip de Mézières, or Raoul de Presles, about 1376 or 1377,⁴ and borrowed largely from the *Dialogus* of Ockam and the

¹ Denifle, o. c., III. 225. *Histoire littéraire de la France*, XXIV. 344. Victor Leclerc makes several statements here not warranted by the sources.

² *Catalog. Codicum Ital. Bibl. Med. Laur.* (at Florence) by A. G. Bandini, 1778, p. 227, Cod. 26. On the history of the translation see F. Scaduto, *Stato e Chiesa*, Florence, 1882, p. 112.

³ Denifle, III. 221-227. E. Richer, in his *Historia Academiæ Parisiensis*, Vol. III., MS. Latin. 9945, Bibl. Nat. Paris, mentions this process in speaking of Marsiglio, but adds nothing new.

⁴ Karl Müller, *Zeitschr. für Kirchenrecht*, XIV. 134-205 (1877). Latin text in Goldast, o. c., I. 58-229. French text in *Traitez des Droits de l'Église Gallicane*, II., p. 1 ff.

Defensor Pacis of Marsiglio. Meantime Wiclif had begun to attack the authority of the popes. Between 1370 and 1377 he wrote his tract *De Civili Dominio*. Its dangerous doctrines soon attracted the attention of Gregory XI., who, on May 22, 1377,¹ sent a bull to the University of Oxford commanding that the heresies of Wiclif should not be taught there, and accusing him of borrowing his errors, *mutatis mutandis*, from Marsiglio and Jandum, whose heretical opinions had been condemned by John XXII. The accusation is repeated in bulls of the same date, addressed to the archbishop of Canterbury, the bishop of London and King Richard II., and nineteen of Wiclif's heretical opinions, which had given rise to Gregory's assertion that Wiclif had borrowed them from Marsiglio and Jandum, were selected from his *De Civili Dominio*² and sent to England.

In 1378 the Great Schism broke out. Attempts to put an end to this serious division in the Church gave rise to the conciliar movement, and the writers in favor of this movement naturally turned to the literature which had gone before. In this no work seems to have been used so much as the *Defensor Pacis*. On Gerson its influence cannot be traced distinctly. Ailli nowhere mentions it directly, though he used the *Songe du Vergier*, which was compiled in part from the *Defensor*.³ Dietrich von Niem in writing his *De Modis uniendi ac reformandi Ecclesiam* (c. 1410) and his *Avisamenta pulcherrima de Unione et Reformatione Membrorum et Capitis fienda* (c. 1414), also called *De Necessitate Reformationis*,⁴ borrowed many passages from it. Nicolaus von Cusa in his *De Concordantia Catholica*, written between 1431 and 1434, mentioned Marsiglio and was evidently much influenced by his book, though he was anxious to have it understood that he was not a follower of his.⁵ In 1443 Matthias Döring in writing the famous *Confutatio Primatus Papæ* borrowed numerous passages bodily from the *Defensor Pacis*.⁶

In spite of the zealous advocates of the power of a general council, the conciliar movement failed to attain its end and the Great Schism was only brought to a close by Nicholas V. about the mid-

¹ Walsingham, o. c., I. 345 ff.

² Ed. R. L. Poole, London, 1888. Cf. also *Fasciculi Zizaniorum*, ed. W. W. Shirley, London, 1858, pp. 245-256.

³ Tschackert, o. c., pp. 42-43 and App.

⁴ H. Finke, *Forschungen u. Quellen zur Gesch. des Konstanzer Konzils*, Paderborn, 1889, pp. 132-149. Also the *Römische Quartalschrift für Christ. Alterth. u. f. Kirchengesch.*, VII. 226.

⁵ *Opera*, Basle, 1565, pp. 683-825. Also F. A. Scharpff, *Der Cardinal u. Bischof t N. von Cusa*, Tübingen, 1871, pp. 6-10, 33, 76-77.

⁶ On the authorship of this work see P. Albert, o. c., and Holzer, *Mitt. d. Inst. f. ös. Geschichtsforschung*, XV. 152. A detailed comparison of this work with the *Defensor* is made by Albert.

dle of the fifteenth century. The impossibility of reforming the Church from within gave rise to the reformation from without.

In the Reformation as in the conciliar movement the *Defensor Pacis* played an important part. In 1512 Jacques Almain made use of it in writing his *Expositio de suprema Potestate ecclesiastica et laica* and his *De Auctoritate Ecclesiæ*.¹ Luther was accused by a contemporary, Albert Pighio,² of having taken a large number of his errors from it. In 1522 a German calling himself "Licentius Evangelus, priest,"³ brought forth the first edition of the *Defensor Pacis*. His preface is a long tirade against the rich and against the maladministration of justice, and he rails against the papacy as the cause of these and other evils. In this respect it is a sort of abstract of the *Defensor* and the intention of the editor in bringing Marsiglio's book to light was evidently to put into the hands of reformers the best weapon that he could find against the Church. Notwithstanding his evident intention the editor finishes the work with the statement that he had edited the book with no other purpose than to "promote the commonweal and bring truth to light."⁴

This edition made the *Defensor* yet better known. Its influence on

¹ *Opera*, ed. 1518, Paris.

² O.c., p. 4 of preface and fol. 239 vo.

³ Usually said to be Beatus Rhenanus, but A. Horawitz, in his thorough researches on the life and works of that reformer in *Sitzungsberichte der phil.-hist. Classe d. kaiserl. Akademie d. Wissenschaften*, LXX. 189 ff., LXXI. 643 ff., LXXII. 623, and in his *Briefwechsel d. Beatus Rhenanus*, Leipzig, 1886, makes no mention of it. It seems impossible, even though (according to Goldast, o.c., Diss. I.), Rhenanus's contemporary Lavater says so, that Rhenanus should have written such a violent preface. J. W. Blaufuss, in his *Beiträge zu seltenen Büchern*, II. 92, attributes the preface to Zwingli on untenable grounds. Stähelin in his *Huldreich Zwingli u. sein Reformationswerk*, 1884, does not mention it. Wolfgang Weissenberg in his preface to the *Antilogia Papæ*, published at Basle by Matthias Flacius Illyricus, in 1555, says that "Licentius" was Valentin Curio, the printer at Basle. This is supported by Ludwig Keller, *Die Reformation u. d. älteren Reformparteien*, Leipzig, 1885, pp. 327, 388. As Weissenberg merely used the name "vulgatum," this means published rather than edited. The book, however, does not even bear the press-mark of Curio; cf. Stockmeyer and Reber, *Beiträge z. Basler Buchdruckergesch.*, Basle, 1840, p. 154. The same "Licentius Evangelus" edited the *De Ordine docendi et discendi* of Baptista Guarini, published without mark; cf. C. G. Jöcher, *Allg. Gelehrt. Lexicon*, s. v. "Beatus Rhenanus." That the type used in this edition of 1522 resembles the type used by Curio in his other book (Keller, p. 379, n. 4), is no argument that Curio wrote the preface or even printed this edition. Keller thinks that the little verse preceding the text was written by Hans Denck (p. 379), though on what grounds does not clearly appear. That the writer of the preface was a German is clear from the context. Pighio, o.c., fol. 239, refers to the author as a "certain Lutheran." The identity of this "Licentius" thus remains uncertain.

⁴ This edition in abbreviated Latin does not seem to be good. The editor makes no attempt to be critical. Cf. Denis, *Cat. Bibl. Palat. Vind.*, I., pt. II., p. 2057. Chapter VII. is joined with Chapter VI. in Book II. and the last chapter of Book III. is omitted. This has been printed by K. Müller, in *Götting. gelehrt. Anzeigen d. Königl. Gesell. d. Wissenschaften*, 1883, II. 923-925. There are also many mistakes; cf. Denis, l. c., and Riezler, p. 223, note.

the men of the times is undoubted, especially on the so-called "Brothers of Common Life."¹ Nor was this influence confined to Germany. In England, on the division between Henry VIII. and Rome, a certain William Marshall,² wishing to promote his interest at court and to advance the cause of the Reformation, translated, or had translated for him into English, this edition of "Licentius."³ Marshall thought it was the best work against the authority of the popes,⁴ and Cromwell himself was very favorably impressed, as he promised to lend twenty pounds towards the printing of it.⁵ The translation was finished about April 1, 1533,⁶ but did not appear in print until July 27, 1535. Four days later Dr. Thomas Starkey wrote to Pole advising him to read it.⁷ Marshall sent several copies to the monks of the Charterhouse,⁸ but their president prohibited them from reading it and they sent the copies back.⁹ One monk, more zealous than his fellows, burned his copy.

When the publication of lists of prohibited books began, the works of Marsiglio naturally found a place there. The Emperor Charles V. in 1540, 1544 and 1546 issued edicts against the printing of heretical writings. It was left to the faculty of theology of the University of Louvain to decide which books were heretical and to publish lists of them. Such a list was made in 1546 and the works of Marsiglio of Padua figured among those fit to be "rooted out."¹⁰ Henry II. issued edicts for France to the same effect in 1549 and 1551.¹¹ The lists were published by the faculty of theology of the

¹ Keller, o. c., pp. 379, 388. See, however, a review of Keller's book by Müller in the *Theolog. Stud. u. Kritiken* for 1886, p. 352.

² *Dict. Nat. Biog.*, Vol. 36, 1893. C. H. Timperley, *Encyc. of Lit. and Typog. Anecdote*, London, 1842, p. 259 ff. Ames, Dibdin, Herbert, *Typog. Antiq. of Gt. Brit.*, III. 416 ff.

³ Three copies in Bodl. Library, Oxford. One copy in Brit. Museum. The translator has omitted Chapters 13, 14, 18 of Book I., Chapters 20, 21, 22 of Book II., many conclusions of Book III., and other parts throughout the book. The translator says that the parts omitted are not necessary for his purposes. The omission of Chapter 18 is interesting, as it is here that Marsiglio puts forward his theory of the responsibility of the executive to the people for his actions.

⁴ *Letters and Papers of the Reign of Henry VIII.*, ed. James Gairdner, Rolls Series, XI., No. 1355.

⁵ *Ibid.*, VII., No. 423.

⁶ *Ibid.*

⁷ *Ibid.*, Vol. VIII., No. 1156. Starkey was the king's chaplain. He wrote *An Exhortation to the People instructing them to Unity and Obedience*. Cf. Strype, *Eccl. Memorials of the Church of England*, Oxford, 1822, I., pt. II., p. 266.

⁸ *Letters and Papers*, IX., No. 523.

⁹ Yet the *Defensor Pacis* had not figured among the list of prohibited books published in England about 1529; cf. Foxe, *Acts and Monuments*, London, 1837-1841, IV. 667.

¹⁰ *Catalogue des Livres reprouvés*, Louvain, 1546.

¹¹ Isambert, *Recueil des Anciens Loix Françaises*, Paris, 1828, XIII. 189.

University of Paris. In their list of 1556 we find under "ex libris Marsilii Patavini" the *Defensor Pacis* duly enrolled.¹ In the numerous indexes² "librorum prohibitorum" published at Rome before and after the Council of Trent the works of Marsiglio are to be found. In the second session of the Council of Trent rules to be followed in condemning books were formulated and an *Index Librorum prohibitorum* containing the *Defensor Pacis* was published in accordance therewith at Rome in 1558.

In 1538 Albert Pighio brought out his *Hierarchiæ Ecclesiasticæ Assertio*. In the *Epistola Nuncupatoria* he announces his intention of discussing the arguments on the ecclesiastical and imperial powers and of choosing as an antagonist Marsiglio of Padua. He chooses him because he is "the best representative of the opposition to ecclesiastical power" and because it was he who brought together "the strongest, the most numerous and the most ingenious arguments for the support of the imperial cause."³ Pighio then devotes a considerable part of his work to the refutation of the ideas of Marsiglio as expressed in the *Defensor Pacis*.⁴ In 1545 Max Müller, of Westendorff, made an abridged translation of the *Defensor Pacis*, calling it *Ain kurtzer Auszug des treffenlichen Wercks und Fridschirmbuches Marsilii von Padua*. He had made a complete translation, but owing to its length he omitted Book I., which deals with the state, and reduced to seven the forty-two conclusions of Book III. From these omissions we can see that his purpose was to use the book as a weapon against the Church and not as an exposition of the theory of the state.⁵

The name and work of Marsiglio remained ever fresh in the minds of the people during the Reformation. The Protestants, in their letter "super recusatione Concilii Tridentini" in 1562, referred to him as one among those who had written about the early abuses of the Church.⁶ Charles IX., in a letter to Pius IV., also makes reference to him.

In 1592 Francis Gomar, the Calvinist and anti-Arminian, brought out a new edition of the *Defensor Pacis*, praising its author and recommending it to Henry IV., of France, as especially useful

¹ *Catalogue des Livres censurés par la Faculté de Théologie de Paris*.

² Cf. L. Vallée, *Bibliog. des Bibliogs.*, Paris, 1883. J. Petzholdt, *Bibliotheca bibliog.*, Leipzig, 1866, under "Catalogue," "Index," etc.

³ O. c., p. 4.

⁴ *Ibid.*, folios 239-301.

⁵ I have not seen this book. Cf. Graesse, *Trésor de Livres*, s. v. Marsilius, and Riezler, p. 194. It is dedicated to Ottheinrich, Count Palatine, and was published at Neuburg a. d. Donau, in folio.

⁶ Goldast, I. Diss., see under "Ockam."

for showing the liberty and power of his kingdom against the popes.¹ In 1599 a new edition was published, but, excepting the addition of "Testimonia auctorum de Marsilio Patavino," it seems to be a reprint of the edition of Gomar.²

In 1612 Daniel Patterson, of Danzig, published another edition of the *Defensor*, calling it a work very useful and necessary for politicians and all students of letters, and prefacing it with a history of the struggles between the popes and the emperors, and the share of Marsiglio therein.³ In 1613 Patterson had the same reprinted, not, however, under the title of the *Defensor Pacis*, but under that of *Legislator Romanus de Jurisdictione et Potestate, tam seculari, quam ecclesiastica*, as a general treatise on the priestly, military, agricultural and other orders of the state.⁴ From these two editions by Patterson we see that the *Defensor* had ceased to be a mere weapon against the papacy, and had been taken up as a work on the state. Goldast, the great editor, in almost the same spirit incorporated it into his collection of texts on the ecclesiastical and imperial powers in 1614. It also appears in the reprints of this work in 1621 and 1668.⁵

In 1622 a new edition was published under the title: *Opus insignis Defensor Pacis*.⁶ This was followed by another in the next year⁷ entitled *Irenicum Politicum* and said to be a work necessary

¹ Frankfort. Like all subsequent editions, this is taken from the edition of 1522. Gomar, in his preface, says he intended to make a commentary on the work, but was prevented. He omits the preface of "Licentius Evangelus," but copies the marginal indexes of the edition of 1522, follows that edition in omitting the seventh chapter of Book II., gives a few more marginal notes and fills out the abbreviations.

² "Ex bibliopolio Comeliniano" (at Heidelberg, cf. Lelong, l. c.), called "Editio castigatior notisque et aliis auctior." With a few slight changes the preface of Gomar is reproduced. As authorities are given the bull of Gregory XI. to Richard II. of England, in 1378, selections from Zabarella's *Commentarius in Clementinas*, and from J. Papire Masson's *De Episcopis Urbis Romæ*. Bound with it are Marsiglio's *Tractatus de Translatione Imperii* and a "Constitutio" of Louis IV. on electors.

³ This edition is taken directly from the 1522 edition, and not from that of Gomar. After his own preface, Patterson puts that of Licentius. In other respects he follows the edition of 1522 exactly, except that he omits the marginal indexes, numbers Chapter VIII. of Book II. as Chapter VII., and fills out the abbreviations. The edition is dedicated to the consuls and senators of the republic of Danzig.

⁴ Frankfort. Exactly the same as the above, except as regards title-page and date.

⁵ Melchior Goldast, *Monarchia S. Romani Imperii*, 3 vols., Hanover 1611, 1613, 1614. The editions of 1621 and 1668 are of Frankfort. The *Defensor* is in Volume III. of these editions, and in Vol. II. of the first edition. Goldast copies the 1522 edition, fills out the abbreviations, and drops the marginal indexes. He prints the preface of Licentius separately in Vol. I., pp. 647-653, leaves out the index and the dedicatory poem, but puts the little verse "Philalethes" and part of the conclusion of Licentius at the end.

⁶ Frankfort. I have not seen this edition. Cf. Riezler, p. 194.

⁷ Frankfort. Evidently a reprint of Patterson's edition, though the prefaces of Licentius and Patterson are left out.

and useful "in these times of sedition and discord." The publisher addresses the reader in a preface which is very similar in tone to that of Patterson's editions. In 1692 another and last edition of this famous work appeared at Frankfort.¹

In turning to trace the history of Ockam's works on the ecclesiastical and imperial powers we are at once struck by the slight importance which was attached to them by his contemporaries and followers. The first certain date that we have concerning him is that of a bull of John XXII. addressed to the bishops of Ferrara and Bologna and dated December 1, 1323.² Here John makes inquiries in regard to a certain sermon which Ockam was said to have delivered at Bologna, and which was opposed to the pope's conception of apostolical poverty. If this was true Ockam was to be arrested and brought before the pope for examination. Shortly afterwards he seems to have been arrested and taken to Avignon, where he awaited trial for his heretical opinions. He was there for almost four years and seems to have been closely confined during seventeen weeks of this period.³ On May 25, 1328, he managed to escape and in company with Cesena and others fled to Pisa, which was under the control of the officers of Louis of Bavaria, who was in Rome.⁴ Three days later John sent a letter to all bishops and princes commanding them to seize Ockam for fleeing from his trial for heresy.⁵ On June 6 of the same year the pope in a bull recited the story of their escape, excommunicated them and in particular said that Ockam had in dogmatic form uttered many heresies.⁶ In a bull of June 20 he informed the archbishop of Milan and his suffragan bishops of the excommunication of Ockam and the others.⁷ In the same year, or in 1329, he sent letters to various German princes commanding the arrest of the heretics.⁸ On March 7, 1329, he sent letters to the same effect to the various archbishops of Germany.⁹ The letter to the archbishop of Cologne was read publicly

¹ I have not seen this. Cf. Friedberg, o. c., p. 121.

² Wadding, *Annales Minorum*, VII. 7, and Raynaldus, 1323, § 62.

³ Poole, *D. N. B.*, p. 357; Baluze, *Misc.*, III. 244; I have verified Müller's reading of "annis" and would say that Poole's doubts are unfounded.

⁴ *Ib.*, and Denifle, o. c., II. 290. The words which Ockam said to Louis on meeting him later are first reported not by Trithemius, as Poole thinks, but by a chronicler who wrote about 1349. See Riezler's edition of *J. Turmair's Werke*, 1883, III. 587 ff.

⁵ Reinkens, o. c., No. 433.

⁶ Martène et Durand, o. c., II. 750. A bull of similar contents and of the same date was addressed to the archbishop of Palermo and his suffragan bishops. Cf. Ficker, *Urkunden zur Gesch. des Römerzuges Kaiser Ludwig des Baiern*, n. 130, pp. 765 ff.

⁷ *Vat. Akten*, No. 1044.

⁸ *Ibid.*, No. 1105. Reinkens, o. c., No. 474, without authority gives the date as April 2, 1329.

⁹ *Vat. Akten*, No. 1143.

June 30 in the cathedral.¹ On April 21, 1329, the pope published another bull similar to that of June 6, 1328.² About June 11, Gerald Odo, the Minorite General, condemned Ockam and others and prohibited the other members of the order from having anything to do with them.³ By a bull of April 2, 1330, John commanded all ecclesiastical persons of Germany to lay hands on the culprits.⁴ In a letter of July 31, of the same year, he increased his charges against Ockam, declaring that he had preached various heresies publicly and written books full of heretical opinions and errors.⁵ For this reason John had assigned his writings to several doctors for examination and they had declared that they had found many heretical articles in them. To what "writings" John here has reference is difficult to say. Poole thinks it may refer to his *De Qualitate Propositionum*, said to have been written by Ockam during his confinement at Avignon and to have been afterwards incorporated in his *Dialogus*, but Müller is probably right in thinking it refers to his earlier theological and philosophical works.⁶

On January 4, 1331, the pope issued another bull prohibiting anyone from assisting Cesena, Ockam and others and accusing them of asserting that Christ and his disciples had no property of their own, or in common, but merely a simple usufruct. The accused were further said to be guilty of holding the error for which Marsiglio had already been condemned, "that the emperor can depose the pope." For these and other reasons John summoned them to a general council of the faithful to be held on May 10. This bull and summons were to be affixed to the doors of the church at Avignon, and whether the heretics appeared or not they were to be proceeded against.⁷ In the same year (1331) Geraldus, the general of the Minorites, opposed the errors of those heretics, which he summed up as follows :

1. The emperor may depose the pope. 2. The people and clergy of Rome may do the same. 3. That which was done in Rome by Louis of Bavaria against John XXII. was done legally. 4. Laws made by that pope, even if he is canonically elected, and makes them with the consent of the cardinals, are heretical. 5. To obey him is heretical.⁸

¹ Ibid., 1178.

² Bzovius, *Annal. Eccl.*, 1329, § 7.

³ Ib., 1328, § 7, and 1331, § 2.

⁴ *Vat. Akten*, No. 1288.

⁵ Martène et Durand, II. 800.

⁶ Wadding, o. c., VII. 82. *Dict. Nat. Biog.*, p. 358. *Allg. Deut. Biog.*, XXIV. 123.

⁷ Martène et Durand, II. 828.

⁸ Raynaldus, o. c., 1331, § 15.

When Louis made his offers¹ of submission to Benedict XII. in 1336 he used nearly the same terms of reproach against Ockam and Cesena that he had used towards Marsiglio. Louis, as we saw, changed his mind, and two years later sought the assistance of Ockam in drawing up an appeal from the pope to a general council.² About this same time Louis requested Ockam to write his work on ecclesiastical and imperial power, which was afterwards called the *Octo Quaestiones*.³ On July 11, 1343, Clement VI., the successor of Benedict, made the speech against Louis and Ockam which we have seen above. In a letter of May 20, 1346,⁴ to the masters and scholars of the University of Paris, Clement prohibited them from the study of the doctrines of several recent philosophers, among whom Ockam was no doubt included.

Ockam died in 1349 or shortly after, but before his death he took some steps towards reconciliation with Clement VI. In letters of November 29, 1347, and June 8, 1349, Clement made this reconciliation dependent on several conditions.⁵ Ockam was to promise to believe as the Holy Catholic Church believed, was to declare heretical the statement that the emperor could select, create and depose the pope, to obey the present pope and his successors, to renounce the heretical opinions of Louis of Bavaria and Michael of Cesena, and to promise to give no help to the enemies of the Church. These articles were not hard to comply with, but Ockam rejected them at first and was cited to appear before the papal court.⁶ It is uncertain whether he ever agreed to them or not. Since in his *De Electione Caroli IV.*, written in 1348, he had already rejected almost the same demands, it seems hardly probable that he would have now accepted them. Minorites⁷ naturally say that he did agree to them and that he died a good Christian, but Raynaldus⁸ denies it. His name at least ceases to appear in the bulls of the popes.

Apart from mention in the papal bulls, Ockam and his anti-papal works attracted very little attention. The authors who wrote in favor of the popes give him only incidental mention as one among

¹ *Vat. Akten*, No. 1841.

² It is to be noticed that here, and in the Diets of Rhense and Frankfort, where the influence of Ockam was felt, the emperor is put below the pope. Riezler, pp. 96, 105. Müller, II. 80-81. For Ockam's moderation Thomasius, in his *Historia Contentionis inter Imperium et Sacerdotium*, 1722, p. 107, had the greatest contempt, terming Ockam an "adulator, homo ambidexter, neutralista, timidus, pessimum genus hominum ad maximas turbas in Republica excitandas," etc.

³ Goldast, o. c., II. 391. "Illum autem dominum porrexit."

⁴ Denifle, II., p. 287.

⁵ Raynaldus, 1349, § 16. Müller, II. 253. Höfler, 30.

⁶ Raynaldus, 1349, § 17.

⁷ Wadding, o. c., VIII. 13 ff.

⁸ O. c., 1349, §§ 16, 17. Bulaeus, o. c., IV. 317. Müller, II. 253.

many sharing the opinions of Cesena and others. As early as 1314 certain nominalistic doctrines had been condemned at Oxford.¹ By statutes of September 25, 1339,² and December 29, 1340,³ the University of Paris prohibited the teaching of his philosophical doctrines, but said nothing of his religious and political teachings. So Ockam's influence lived by means of his works on philosophy rather than by his works on Church and state.⁴ It was thus that Nicolas of Ulricuria was condemned at Paris in 1346 for the philosophical ideas which he had borrowed from the great nominalist.⁵ About 1334 Jacob of Furno, cardinal-priest of St. Prisca, made a reply to the heretical opinions of Ockam, Cesena, Ekkehardt and others, which had been condemned by John XXII.⁶ About 1343 Louis used the *Dialogus* to convince Albert of Austria that Clement's process against him, Louis, was of no value.⁷ In 1348 the general chapter of the Augustinian order prohibited the reading of Ockam's works under pain of excommunication.⁸ In 1354 Conrad of Megenberg in his tract against Ockam's *De Electione Caroli IV.* devoted himself to overthrowing Ockam's statements that the emperor could install or depose the pope and that the person chosen for king by the electors of Germany was emperor without the approval of the pope.⁹

Use of Ockam's works was shown in 1376 or 1377, when the author of the *Songe du Vergier* borrowed largely from the first and second part of his *Dialogus*. Lechler¹⁰ says that Wiclif was influenced by Ockam, though no cases of direct borrowing can be found. In the conciliar movement Ockam was largely consulted for his philosophical ideas. It was thus that Gerson¹¹ and Ailli¹² used him, and Ailli even borrowed his words and ideas on the general council of the Church.¹³ In addition Ailli made an *Abbreuiatio* of the *Dialogus*.¹⁴ Gelnhausen, Biel and Langenstein are said to have bor-

¹ *Munimenta Acad.*, p. 100, Rolls Series.

² Denifle, II. 485.

³ *Ibid.*, p. 505.

⁴ *Ibid.*, p. 590.

⁵ *Ibid.*, pp. 576, 587, 590, 720.

⁶ *Ibid.*, p. 322, and *Archiv. f. Litter. u. Kirchengesch.*, II. 638. The errors for which John condemned Ekkehardt were purely doctrinal and not political.

⁷ Böhmer, *Fontes*, I. 447.

⁸ N. Paulus, o. c., p. 6.

⁹ Höfler, o. c., pp. 29-31. Megenberg's so-called *Tractatus pro Romana Ecclesia et Pontifice Johanne XXII. contra Wilhelmum Occam* is probably the same as the above. Cf. Lorenz, II. 359.

¹⁰ O. c., I. 479.

¹¹ Schwab, *Johannes Gerson*, p. 291, and Riezler, p. 297.

¹² Tschackert, o. c., pp. 303 ff.

¹³ *Ib.*, pp. 43, 44.

¹⁴ Paris, Bib. Nat. MS. Lat. 14,579, fols. 88-101.

rowed Ockam's ideas on church government.¹ In 1473 Louis XI. condemned the nominalistic doctrines of Ockam and others.²

Henry of Zoemerren, professor at Louvain and deacon of Antwerp, at the instance of Cardinal Bessarion, made at Vienna an *Epitoma primae partis Dialogi de Hæreticis*, which was published in 1481.³ In a dedication to the above cardinal, Zoemerren stated his intention to be to present a good work on heretics, and he seems to have labored under the impression that Ockam was on the side of the popes. In 1476⁴ the first edition of the *Dialogus* appeared, part second bearing the title of *Tractatus de Dogmatibus Johannis XXII. Papæ*. The next complete edition of three parts was published in 1494.⁵ Jodocus Badius, called Ascensius, the printer and poet, dedicated the work to the celebrated historian and theologian, Trithemius. As we see from this dedication and a poem by Badius, the *Dialogus* was brought to light by him and his father-in-law, Trechsel, not with any intention of having it used as a weapon against the papacy, but merely to promote the cause of literature and learning. In the next year the same men brought out the *Opus nonaginta Dierum* with a *Summaria seu Epitomata* of its contents.⁶ The *Opus*, as we know from a note by Ockam, was to form the sixth part of the *Dialogus*. In 1496 Trechsel seems to have published a reprint of the *Opus*,⁷ having in the previous year brought out the *Compendium Errorum Johannis XXII. Papæ*.⁸ In 1496 he also edited the *Octo Quæstiones*, for which Badius wrote a preface dedicating the work to Alexander of Beneventum, of the order of Celestines.⁹ This preface, like that to the *Dialogus*, shows no intention of editing the book for use against the ecclesiastical authority. In 1498 Trechsel published the *Dialogus* again, but made no changes in the preface.¹⁰

About 1512 Jacques Almain, theologian and professor in the College of Navarre at Paris, supported the theories of Ockam in a book which he entitled *Expositio de suprema Potestate ecclesiastica et laica circa Quæstionum Decisiones Magistri Guillelmi de Ockam super*

¹ Wenck, *Konrad v. Gelnhausen* in the *Hist. Ztschr.*, 1896, LXXVI. 13 ff.

² Bulaeus, o. c., V. 678, 706. Baluze, *Misc.*, II. 293.

³ Louvain. Zoemerren objects to Ockam's numerous repetitions. Graesse, *Trésor de Livres*, is confused respecting this edition.

⁴ Paris, Cæsar et Stoll. Called *Dialogorum libri septem adversus Hæreticos*. Cf. Hain, *Repert. Bibliog.*, Copinger's Supplement, No. 11,937.

⁵ Lyons.

⁶ Ibid.

⁷ Ibid., cf. Hain, *sub* Ockam. The dates of the editions given by Goldast are impossible.

⁸ Lyons. This did not appear with the *Opus*, as Hain, No. 11,935, would have us think, but separately.

⁹ Lyons.

¹⁰ Ibid.; cf. Hain, No. 11,939.

Potestate summi Pontificis. In a second work, *De Auctoritate Ecclesiæ*, written in the same year, he again makes use of Ockam's ideas on Church and state.¹

In the Reformation Ockam's influence was felt. He was the only schoolman whose works Luther had on his shelves, and Luther was undoubtedly much influenced by his views on the Last Supper.² It was not these views of Ockam's, however, which met with disapproval from the Church, but rather his theories on the ecclesiastical and imperial powers. It was for these that his books written against John XXII. figured alongside of those of Marsiglio in the lists of condemned books and in the letters of Charles IX. and the Protestants which were mentioned above.

In 1546 the Englishman John Bekinsaw, in writing his *De supremo et absoluto Regis Imperio*, made use of Ockam's *Octo Quæstiones*. In 1598 Marquardus Freher published Ockam's tract on divorce along with that of Marsiglio. His *Dialogus, Compendium Errorum, Opus nonaginta Dierum, Octo Quæstiones* and the *Tractatus* on divorce found place in the three editions of Goldast's great collection. In 1600 Henry Canisius wrote a refutation of Ockam's and Marsiglio's tracts on divorce.³

From the two historical narratives thus presented, though necessarily incomplete, we may derive some estimate of the influence of the works of Ockam and of Marsiglio on their contemporaries and the men who came after them. We have seen that the popes and their supporters were in far greater fear of Marsiglio than of Ockam. It was Marsiglio whom they turned to refute. It was he who, as a certain cardinal thought, was the stumbling-block in the way of peace between the Emperor Louis and the popes. Ockam was also feared, but in far less degree. His theories attracted far less attention from the popes and their literary supporters. The errors of which he was accused were shared by a large number of men. They are never referred to as the errors of Ockam alone, but are always spoken of as those of "Cesena, Ockam, Bonagratia, Thalheim and others." Even as such they do not seem to have been strikingly original; one of them, at least, is exactly the same as an error of Marsiglio, which had been condemned before these men came into prominence.

Of Marsiglio's strong influence on the Emperor Louis there is no doubt. It was he who formed the chief support of Louis's

¹*Opera Omnia*, Paris, 1518. Biographers who state that Almain wrote against Ockam are mistaken.

²J. W. Rettberg, *Ockam und Luther*, in *Theolog. Studien und Kritiken*, 1839, Vol. 12, pt. I., pp. 69-136.

³*Refutatio Trium Tractatum*, Ingolstadt.

expedition to Rome, and it was only after the failure of that expedition that the more moderate counsels of Ockam and others prevailed. Not less strong than his influence on his contemporaries was Marsiglio's influence on the men who followed him. This is evidenced by the inquisitions held on his book, and by the several translations, numerous editions and frequent use of it.¹ Of Ockam's works we have found no translations, fewer editions and fewer cases of borrowing. If, then, Ockam was and has been better known than Marsiglio it has been because of his philosophical rather than his political works. In this respect he may be compared with Dante, whose *De Monarchia* became well known more because it was written by the great poet than from any great value it had as a work on political theory.

Both the works of Ockam and those of Marsiglio failed to do that which Wiclif's works did—they failed to reach the masses. It is exceedingly doubtful whether the democratic movements under Van Artevelde, Rienzi and Etienne Marcel had any such connection with the theories of Ockam and Marsiglio as had the Peasant's Revolt with those of Wiclif. It is just as doubtful whether the anti-clerical movement in the German cities in the second half of the fourteenth century had any inspiration from controversial writers like Marsiglio and Ockam, who wrote in the first half.² It was in the learned world that the influence of these two men was felt. It was here that Ockam's philosophical doctrines took hold, and it was here that Marsiglio's "system of the ecclesiastical power and its relations to the temporal . . . served as a starting point for all subsequent treatises on the ecclesiastical hierarchy."³

Marsiglio may have borrowed his theories of the state from Aristotle, but his theories of the relations between Church and state are original with himself. He did not borrow them from Ockam; the evidence against this is too strong and the only statement for it too weak. It is Marsiglio's originality and the history of his famous work which have served in our own day to make him an international celebrity possessing an interest not only "for the Germans, the Italians and the French," as Riezler says,⁴ but also for the English.

JAMES SULLIVAN.

¹ In the controversies over the powers of the Church and the state, which took place in the sixteenth and seventeenth centuries, and which centered about the names of Bellarmine and Barclay, the works of Marsiglio and of Ockam were referred to very frequently. Cf. Rocaberti, *Bibliotheca Maxima Pontificia*, Rome, 1695, 21 vols.

² Seidenberger in his *Die kirchenpolitische Litteratur unter dem Kaiser Ludwig dem Bayern und die Zunftkämpfe vornehmlich in Mainz* in the *Westdeutsche Zeitschrift für Gesch. u. Kunst.*, VIII. 101, and Bezold, *Volkssouveränität* in the *Hist. Ztschr.* XXXVI. 349 (1876) are inclined to overestimate the influence of medieval theories.

³ Schwab, *Johannes Gerson*, Würzburg, 1858, p. 30.

⁴ Review of Labanca's *Marsilio da Padova* in *Hist. Zeitschr.*, XLIX. 123 (1882.)